

**MEDINA TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
September 20, 2023**

Chair Blakemore opened the public hearing at 7:00 p.m. Permanent members Blakemore, Morel, Greene, Payne were in attendance. Alternate Ostmann sat in for a full Board. Alternate Traynor was also in attendance. Alternate Gray was not present.

Modwash Sign Request-4140 Pearl Road

Secretary Farnsworth read the application into the record. The applicant is Modwash. The street address requiring the variance is 4140 Pearl Road. Present Zoning: RR Previous variance requests: Yes, May 19, 2021.

The variance being requested and reason for the request: Section 605L.1 Accessory signs requiring a permit; wall, rood, and awning signs; each business shall be permitted (1) wall sign. The sign will be located on the fin of the building for the property at 4140 Pearl Road. The request is for 2 additional wall signs.

A letter from the applicant was attached and read as follows.

Dear Elaine & Zoning Reviews Board,

I am working with Apex Pinnacle Services to obtain signage approvals and permits for additional wall attached signage for a ModWash Car Wash that recently opened there in the Township. It is our understanding that ModWash's former sign company submitted for a variance for a multitude of additional signs which was reviewed and disapproved back in May of 2021. Now that the car wash is open and operating, ModWash has requested that we submit a more conservative request for (2) additional wall signs to be mounted on the architectural front FIN area to help bolster visibility for the car wash.

After review of the sign ordinance, it is our understanding that the maximum sign area permitted for this building is calculated based on 1 sq. ft. of sign area for each linear foot of business frontage and is limited to (1) sign for the premise. The architectural style of the car wash building presents an entry area façade feature, referred to as the FIN, which is intended to house a wall sign on each side. This building design is used nationally and creates a symmetrical and consistent branding appearance for ModWash. This building design also helps to create a "sign band" area for the main ID wall signage in situations where the building is setback a great distance from the primary roadway or is situated in between already established buildings. This particular ModWash building is located in between 2 existing buildings and the visibility of the front of the building is obscured both for Northbound and Southbound traffic traveling along Pearl Rd. ModWash has identified a need to pursue wall attached signs on the architectural FIN as the front wall sign is not readily visible to potential patrons for the car wash.

We look forward to further discussion regarding our signage proposal at the next BZA hearing and appreciate the Board's consideration of our request.

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Thanks so much!
Heather S. English.

Bill Holsman at 3130 Corning Dr. Cleveland, OH. 44108 was sworn in.

Chair Blakemore asked what is the request, what is the linear length of the building, and what size is the sign? Mr. Holsman responded with 2 additional signs and sq. ft., 36 sq. ft. wide, and a 1.6 sq. ft. additional is needed for sign.

Alliss Strogan and ZI Ridgley at were sworn in.

Alliss Strogan clarified that the request for the variance is for 2 additional wall signs on the FIN on top of the already existing signs. Modwash came in last year requesting this and was denied.

Mr. Payne stated that with the two additional signs this would put them over 71.24 sq. ft. over the allowed sq. ft. signage.

Chair Blakemore asked why additional signs were needed if they have been open for over a year and making a profit? Mr. Holsman stated that he can only say what he saw and what Modwash is requesting.

Chair Blakemore read into record the previous requests from May 18, 2021:

For Ezzi Signs,

At a meeting held of this Board on May 18, 2021, the following motions were made to recommend to the Township Trustees:

A motion to deny the wall sign (sign A-1) for Modwash Carwash located at 4140 Pearl Rd. as it is not in compliance with Section 605.I.1 of the Medina Township Zoning Resolution as it exceeds the total number of signs permitted.

A motion to deny the wall sign (sign A-2) for Modwash Carwash located at 4140 Pearl Rd. as it is not in compliance with Section 605.I.1 of the Medina Township Zoning Resolution as it exceeds the total number of signs permitted.

A motion to approve the wall sign (sign B-1) for Modwash Carwash located at 4140 Pearl Rd. not to exceed 32 sq. ft. as presented.

A motion to deny the wall sign (sign B-2) for Modwash Carwash located at 4140 Pearl Rd. as it is not in compliance with Section 605.I.1 of the Medina Township Zoning Resolution as it exceeds the total number of signs permitted.

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A motion to deny the wall sign (sign C) for Modwash Carwash located at 4140 Pearl Rd. as it is not in compliance with Section 605.I.1 of the Medina Township Zoning Resolution as it exceeds the total number of signs permitted.

A motion to deny the wall sign (sign D) for Modwash Carwash located at 4140 Pearl Rd. as it is not in compliance with Section 605.I.1 of the Medina Township Zoning Resolution as it exceeds the total number of signs permitted.

A motion to approve the ground sign (sign E) for Modwash Carwash located at 4140 Pearl Rd. not to exceed 30 sq. ft. as presented.

The Township Trustees will review all site plans/signage requests on May 27, 2021, at 7:00 p.m. Your attendance is not required. You will be notified of the Trustees vote. Zoning permits may be obtained after final approval by the Trustees and or the Board of Zoning Appeals if applicable, by contacting the zoning office at (330) 721-1977.

Kim Ferencz- Zoning Secretary.

Mr. Blakemore stated that he above letter was from the Zoning Commission Board and that it then came to the Board of Zoning Appeals the next day with only 5 variance requests all of which were denied. The meeting minutes from the May 19, 2021, meeting can be found in the file.

Mr. Morel asked if this is a similar request, or can it be heard? The Board all agreed this is a different request and can be heard.

Mr. Morel stated he drove past the carwash both ways and the signs can easily be seen in both directions. Mr. Ostmann agreed.

Having no further comments from the Board members, the Board considered the Duncan Factors.

1. Will the property yield a reasonable return or whether there is a beneficial use without the variance? The Board stated yes.
2. Is the variance substantial? The Board stated yes.
3. Whether the essential character of the neighborhood would be substantially altered, or adjoining property owners suffer a substantial detriment if the variance is granted? The Board stated the neighboring businesses will then request more signs.
4. Will the granting of the variance adversely affect the delivery of governmental services? The Board stated no.

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5. Did the property owner purchase the property with the knowledge of the zoning restrictions? The Board stated yes.
6. Whether the problem can be solved by some other manner other than the granting of the variances. The Board stated no.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board no.

Mr. Holsman stated he has thought a lot about this recently with working with Modwash and the lot sizes vary. Carwashes are narrow and fit in narrow lots. They are basically building a sign and calling it a building. The FIN became their signage and without a sign it is an architectural element. The reason they designed the building this way was to maximize roadside visibility. Personally, he drove past it because he did not see it. If the lot was flipped, you would not have this issue because there would be plenty of signage area. With the size of the lot and being narrow, which they knew prior to buying the lot and designed with the FIN on it they would have been allowed more signage. When you drive by you see the monument sign not the building. Mr. Morel replied he saw the building and that this is not a destination. It is something you will always pass. Fiesta Jalapeno cannot be seen because it is a dark building, it has trees, and you cannot get to it from Pearl Rd. He does not see this as hardship, he sees this as a want.

Mr. Blakemore asked if the business is suffering. Mr. Holsman replied that he does not have a 12-month demographics chart. He would not be here a year after they opened if they were hitting their goals.

Mr. Chuck Johnson 3298 Foskett Rd. was sworn in. He said he owns a sign company and sign business and suggested a paint job not a sign that brings the logo without a sign being needed.

Mr. Greene stated that amongst the Board there has been discussion about other businesses allowed additional signs. Chair Blakemore stated that any variance granted doesn't take precedence.

Mr. Payne asked if they have the option to put it on the front of the FIN? Mr. Holsman replied no it will not fit on the front. The FIN is always designed to have a sign on it.

Mr. Payne asked how large the letters are on the existing sign? Mr. Holsman stated roughly 1 ft. by 10.5 inches tall and 9 inches wide. He said it would not look good to put on the front. Mr. Payne asked if they signage or looks? Mr. Holsman replied they want a good-looking building for themselves and the community.

Mr. Ostmann made a motion to deny a 2 additional signs variance for the property located at 4140 Pearl Rd as presented. It was seconded by Mr. Morel.

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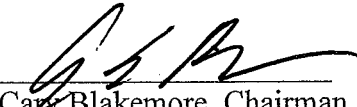
ROLL CALL-Ostmann-yes, Morel- yes, Greene-yes, Payne-yes, Blakemore-yes.

The variance was denied.

The minutes to the BZA August 16, 2023, hearing was approved as written. Having no other business before the Board the hearing was adjourned at 7:41 p.m.

Respectfully Submitted,

Stephanie Farnsworth
Zoning Secretary


Cary Blakemore, Chairman